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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,692	07/26/2001	Edward T. Buford III	27.385	7736
7590 03/29/2007 Nigel L. Scott, Esquire SCOTT & YALLERY-ARTHUR 7306 Georgia Avenue, N.W. Washington, DC 20012			EXAMINER CHIN, RANDALL E	
			ART UNIT 1744	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
30 DAYS			03/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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<b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/912,692	BUFORD, EDWARD T.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Randall Chin	1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 12 March 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.

- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

The following are suggested amendments to claims 17 and 19 which Applicant should incorporate into claims 17 and 19 for the language of these claims to be clear and complete and before the application can be allowed. Claim 17, line 3, before "substantially rigid bristles", insert --said-- to clearly tie in with the aforementioned "bristle" back on line 1. Claim 19, line 1, delete the entire recitation "as claimed in Claim 17" since the body of claim 19 is already reciting similar language which already parallels that of claim 17 and claim 19 should avoid any redundancy. Also, claim 19, line 3, before "substantially rigid bristles", insert --said-- similar to above for claim 17. Further, claim 19, line 7, it is not clear what a "constant number of bristles" is referring to with respect to the toothbrush consisting of a "constant number of bristles". Further such recitation appears to be new matter. Applicant should either amend or delete such phrase to avoid any confusion. Applicant should note that proper status identifiers must be used when Applicant amends claims 17 and 19. See 4.C. above.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

#### TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Handwritten signature: *[Signature]*  
 RANDY F. CHIN  
 PRIMARY EXAMINER

Continuation of 4(e) Other: Claims 12, 13, 14, 15, 16 and 18 are "Canceled" and therefore no claim text shall be presented for these claims. See 37 CFR 1.121(c)(4).